

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X  
JACQUELINE SILVER,

Plaintiff,

-against-

SERGEANT SCOTT DALESSANDRO, POLICE  
OFFICER LUIGI GALANO, POLICE OFFICER  
NICHOLAS KOSTAS, and POLICE OFFICER EDWARD  
STINE,

Defendants.  
----- X

**REPLY DECLARATION OF  
KAITLIN FITZGIBBON, IN  
FURTHER SUPPORT OF  
DEFENDANTS' MOTION TO  
DISMISS**

15 CV 3462 (ARR) (ST)

**KAITLIN FITZGIBBON**, an attorney duly admitted to practice in the State of New York, declares pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following is true and correct:

1. I am an Assistant Corporation Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, and attorney for defendants Sergeant Scott Dalessandro, Officer Luigi Galano, Officer Nicholas Kostas, and Officer Edward Stine ("Defendants") in the above-referenced action. As such, I am familiar with the facts stated below and submit this declaration to place the relevant documents on the record in support of Defendants' motion to dismiss the complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

2. Annexed hereto as Exhibit "A" is a copy of email correspondence between Plaintiff and Defense Counsel dated January 31, 2017 through February 3, 2017, wherein Plaintiff discloses that her Memorandum of Law in Opposition to Defendants' Motion to Dismiss was drafted by an attorney.

Dated: New York, New York  
February 24, 2017

ZACHARY W. CARTER  
Corporation Counsel of the  
City of New York  
*Attorney for Defendants*  
100 Church Street, Room 3-202  
New York, New York 10007  
(212) 356-5057

By:



---

Kaitlin Fitzgibbon  
Assistant Corporation Counsel  
Special Federal Litigation Division

To: **BY FIRST CLASS MAIL AND EMAIL**  
Jacqueline Silver  
P.O. Box 604726  
Bayside, NY 11360